

IN THE DISTRICT COURT OF THE UNITED STATES

for the Western District of New York

JANUARY 2020 GRAND JURY
(Impaneled January 3, 2020)

THE UNITED STATES OF AMERICA **INDICTMENT**

-vs-

MATTHEW OSTROWSKI

Violations:

Title 18, United States Code,
Sections 2252A(a)(5)(B) and 2252A(b)(2)
(3 Counts and Forfeiture Allegation)

COUNT 1

(Possession of Child Pornography)

The Grand Jury Charges That:

On or about December 17, 2019, in the Western District of New York, the defendant, MATTHEW OSTROWSKI, did knowingly possess material, that is one (1) Dell Inspiron 530S computer, bearing serial number DN0QSF1, that contained images of child pornography, as defined in Title 18, United States Code, Section 2256(8), which involved a prepubescent minor and a minor who had not attained 12 years of age; that had been shipped and transported using any means and facility of interstate and foreign commerce; that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer; and that had been produced using materials that had been shipped

and transported in and affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

COUNT 2

(Possession of Child Pornography)

The Grand Jury Further Charges That:

On or about December 17, 2019, in the Western District of New York, the defendant, MATTHEW OSTROWSKI, did knowingly possess material, that is one (1) Apple iPhone X, bearing serial number G6TVMEX1JCL7, that contained images of child pornography, as defined in Title 18, United States Code, Section 2256(8), which involved a prepubescent minor and a minor who had not attained 12 years of age; that had been shipped and transported using any means and facility of interstate and foreign commerce; that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer; and that had been produced using materials that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

COUNT 3

(Possession of Child Pornography)

The Grand Jury Further Charges That:

On or about February 5, 2020, in the Western District of New York, the defendant, MATTHEW OSTROWSKI, did knowingly possess material, that is one (1) Dell Inspiron 531S computer, bearing serial number DG3XPD1, that contained images of child pornography, as defined in Title 18, United States Code, Section 2256(8), which involved a prepubescent minor and a minor who had not attained 12 years of age; that had been shipped and transported using any means and facility of interstate and foreign commerce; that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer; and that had been produced using materials that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

FORFEITURE ALLEGATION

The Grand Jury Alleges That:

Upon conviction of any of the offenses alleged in this Indictment, the defendant, MATTHEW OSTROWSKI, shall forfeit to the United States any matter which contains any such visual depiction of child pornography, which was produced, transported, mailed, shipped, and received, and any and all property, real and personal, used and intended to be

used to commit and to promote the commission of such offense, and all property traceable to such property, including but not limited to the following:

- a. one (1) Dell Inspiron 530S computer bearing serial number DN0QSF1; and
- b. one (1) Dell Inspiron 531S computer, bearing serial number DG3XPD1.

All pursuant to Title 18, United States Code, Sections 2253(a)(1) and 2253(a)(3).

DATED: Buffalo, New York, November 24, 2020.

JAMES P. KENNEDY, JR.
United States Attorney

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A TRUE BILL:

S/FOREPERSON